

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

BRENDAN J. BERGER, )  
v. Plaintiff, ) Case No. 1:19cv00099  
NATIONAL BOARD OF ) Magistrate Judge: Hon. Karen L. Litkovitz  
MEDICAL EXAMINERS, )  
Defendant. )

## **[PROPOSED] STAY ORDER**

The Court has considered the Joint Motion to Stay Proceedings filed by the parties and hereby **GRANTS** the Motion, as follows:

Absent further order by the Court, (1) all proceedings in this case at the district court level are stayed pending resolution of Case Number 19-3885 in the U.S. Court of Appeals for the Sixth Circuit, except for any third-party document discovery that a party may choose to pursue; (2) all deadlines set forth in the Court's Calendar Order of May 30, 2019, are hereby adjourned; (3) upon resolution of the appeal in Case Number 19-3885, the Court will hold a status conference and, if appropriate, establish a revised schedule for the case; (4) either party may move to lift this stay for good cause; and (5) this stay shall not apply to this Court's August 27, 2019 Preliminary Injunction Order.

SO ORDERED this 16th day of October 2019.

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**U.S. Magistrate Judge**